

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**ROGAN BROTHERS SANITATION, INC.**

**and**

**Case 02-CA-065930**

**LOCAL 813, INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS**

**ORDER**

The Employer's petition to revoke subpoena duces tecum B-625212 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations.<sup>1</sup> Further, the Employer has failed to establish any other legal basis for revoking the subpoena.<sup>2</sup> See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., March 12, 2012

MARK GASTON PEARCE,           CHAIRMAN

BRIAN E. HAYES,               MEMBER

RICHARD F. GRIFFIN, JR.,     MEMBER

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<sup>1</sup> The Employer's request that its petition to revoke, the Region's opposition, and the Employer's letter in reply be made part of the official record in this case is denied as premature, without prejudice to the Employer renewing this request if these investigative proceedings progress to the stage where an official record is created.

<sup>2</sup> To the extent that the Employer has provided some of the requested material, it is not required to produce that information again, provided that the Employer accurately describes which documents under subpoena it has already provided, states whether those previously-supplied documents constitute all of the documents, and provides all of the information that was subpoenaed.